IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WA.No. 738 of 2002(D)

AGAINST THE JUDGEMENT IN OP.15014/1996
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APPELLANTS: PETITIONERS:
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1. C.P.JAMES, CHERIYATH HOUSE,
NOW RESIDING AT CHERIYATH HOUSE,POOVATHUPARAMBA.PO
CALICUT-8.

2. P.RADHAKRISHNAN, THEKKEYIL HOUSE,
KARAPARAMBA, KOZHIKODE-10.

3. C.K.AJITH KUMAR, CHATTIKANDY HOUSE,
PUTHIYANGADI POST, KOZHIKODE.

4. T.M.BABU, THEKKEMULLOLIL HOUSE,
THURUTHIYAD P.O., BALUSSERY (VIA),KOZHIKODE-673612

5. M.P.VALSARAJ, M.P.HOUSE, MELUR P.O.,
QUILANDY, KOZHIKODE.

BY ADV. SRI.THOMAS ANTONY
SRI.K.M.JAMALUDHEEN

RESPONDENTS: RESPONDENTS:
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1. THE KERALA WATER AUTHORITY, REP. BY ITS
MANAGING DIRECTOR, THIRUVANANTHAPURAM.

2. THE MANAGING DIRECTOR,
KERALA WATER AUTHORITY, THIRUVANANTHAPURAM.

3. THE EXECUTIVE ENGINEER,
PUBLIC HEALTH DIVISION,KERALA WATER AUTHORITY,
THIRUVANANTHAPURAM.

4. THE EXECUTIVE ENGINEER,
PUBLIC HEALTH DIVISION,KERALA WATER AUTHORITY,
BADAGARA.

BY ADV. SRI.M.V.MATHAI MUTHIRENTHY, SC, KWA
SRI.SAJAN MANNALI, SC, KWA

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.Radhakrishnan
&
Antony Dominic, JJ.
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W.A.No.738 of 2002
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Dated this the 11th day of June, 2007.

JUDGMENT

Radhakrishnan,J.

Original Petition was preferred by the appellants seeking a writ of certiorari to quash Exts.P5 and P10 and for a mandamus directing the respondents to readmit the petitioners on duty and regularise their services with effect from 10.4.1986, 2.4.1986 and 1.4.1986 respectively and for other consequential reliefs. Learned single Judge found no reason to interfere with the Original Petition. A decision in **Jacob** v. **Kerala Water Authority** – 1990(2) K.L.T. 673 was cited to show that the services of workers employed by the Authority between 1st April, 1984 and 4th August, 1986 will be regularised if they possess the requisite qualifications for the post prescribed on the date of appointment of the concerned worker. Admittedly, petitioners' services have been terminated much before the date of the decision of the Apex Court. Hence the direction for regularisation does not cover persons like the petitioners. Petitioners have not satisfied the

conditions contained in G.O.(MS) No.5/91/LAD dated 5.1.1991.

We find no ground to entertain this Writ Appeal and the same is dismissed.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

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